



Order Filed on October 15, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

Authorized Agent for Secured Creditor

130 Clinton Road, Lobby B, Suite 202

Fairfield, NJ 07004

Telephone: 973-575-0707

Facsimile: 973-404-8886

Harold Kaplan (HK0226)

In Re:

Alexander J. Brooks,

Debtor,

Renee L. Stone,

Joint Debtor.

Case No.: 19-23466-ABA

Chapter: 13


Hearing Date: August 25, 2020

Judge: Andrew B. Altenburg
Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: October 15, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Secured Creditor: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE FOR AMERICAN HOME MORTGAGE INVESTMENT TRUST 2005-3

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Seymour Wasserstrum

Property Involved ("Collateral"): 1513 Venus Drive, Vineland, N.J. 08360.

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 02 months from 08/01/2020 through 09/01/2020.
- The Debtor is overdue for 02 payments from 08/01/2020 through 09/01/2020 at \$818.66 per month.

Funds Held In Suspense \$33.74.

Total Arrearages Due \$1,603.58.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on 10/01/2020, regular monthly mortgage payments shall continue to be made in the amount of \$842.28.
- Beginning on 10/15/2020, monthly cure payments shall be made in the amount of \$267.27 for 05 months. A 6th and final payment shall be made in the amount of \$267.23 on or before 03/15/2021.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

■ Monthly cure payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.


The fees and costs are payable:

- Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



Cory F. Weber, Esquire.
Attorney for Debtor(s)
Date: 10-14-2020

/s/ Harold N. Kaplan
Harold N. Kaplan, Esquire
Attorney for Secured Creditor
Date: 10/14/2020